



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

FEB 17 2017

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Ms. Elizabeth Campos
3E Company
3207 Grey Hawk Court, Suite 200
Carlsbad, California 92010

Re: **NOTICE OF VIOLATION**
Costco Wholesale #63
EPA ID No. AKD 98307 5839

Dear Ms. Campos:

This Notice of Violation (NOV) is to inform Costco Wholesale and 3E Company of a violation of the Resource Conservation and Recovery Act (RCRA) as amended. This violation was identified as a result of an inspection performed by the U.S. Environmental Protection Agency (EPA) on September 21, 2015, at Costco Wholesale #63, located at 4125 Debarr Road, Anchorage, Alaska. The inspection was performed pursuant to the EPA's inspection authority under Section 3007 of RCRA, 42 U.S.C. § 6927.

From the observations made during the inspection, the following RCRA violation was identified at the facility:

Violation - Failure to conduct a weekly inspection of a hazardous waste accumulation area

As incorporated by reference at 40 C.F.R. § 262.34(d)(2), the regulation at 40 C.F.R. § 265.174 requires that, at least weekly, the owner or operator must inspect the areas where hazardous waste containers are stored, looking for leaking containers and deterioration of containers.

According to documentation available during the inspection, a weekly inspection of the hazardous waste accumulation area was not conducted between August 29 and September 5, 2015. Failure to conduct weekly inspections violates a condition set forth in 40 C.F.R. § 262.34(d)(2) for accumulation of hazardous waste without a permit.

Required Action

The above violation may subject Costco Wholesale to enforcement action under Section 3008 of RCRA, including the assessment of civil penalties. Within 20 days of receipt of this NOV, the EPA requests that you submit a written response and/or photographs that identify actions you have taken or will take to correct the violation.

Please send all material submitted in response to this NOV to Kristin McNeill by email at mcneill.kristin@epa.gov, or:

Ms. Kristin McNeill
U.S. Environmental Protection Agency
RCRA Enforcement Unit, OCE-101
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

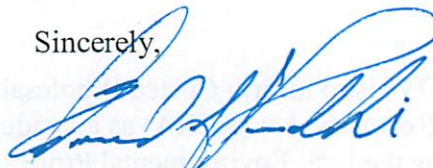
EPA Reservation of Rights

Notwithstanding this NOV or your response, EPA reserves the right to take any action pursuant to RCRA or any other applicable legal authority. Your response to this NOV does not constitute compliance with RCRA.

Nothing in this NOV or your response shall affect duties, obligations or responsibilities with respect to Costco Wholesale under local, state or federal law or regulation.

Thank you for your prompt attention to this important matter. If you have questions regarding this NOV, please contact Kristin McNeill of my staff at (206) 553-6291 or mcneill.kristin@epa.gov.

Sincerely,



Edward J. Kowalski
Director